



FARELLA BRAUN + MARTEL LLP

Attorneys At Law

Russ Building / 235 Montgomery Street
San Francisco / CA 94104

T 415.954.4400 / F 415.954.4480
www.fbm.com

ROBERT L. HINES
rhines@fbm.com
D 415.954.4935

December 27, 2005

Via First Class Mail

Roy D. Allen
President and CEO
Hussey Copper, Ltd
100 Washington Street
Leetsdale, PA 15056-1000

**Re: Consumer and Environmental Exposure to Lead and Lead Compounds from
Lead-Coated Copper Material**

To Whom It May Concern:

This letter provides a Notice of Violation ("Notice") to Hussey Copper, Ltd. ("Hussey Copper") regarding Hussey Copper's past and continuous violation of provisions of the Safe Drinking Water and Toxic Enforcement Act of 1986, California Health & Safety Code §§ 25249.5 *et seq* ("Prop. 65"). Specifically, Hussey Copper has violated and continues to violate the warning requirements of Section 25349.6 which provides:

"[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual"

This Notice is provided by:

Joseph Steinberg
645 Circle Drive West
Solana Beach, CA 92075

Any and all inquires regarding this Notice should be directed to counsel for Joseph Steinberg:

Robert Hines or Scott Sellwood
Farella Braun + Martel LLP
Russ Building
235 Montgomery St.
San Francisco, CA 94104
(t) (415) 954-4400
(f) (415) 954-4480



Roy D. Allen
December 27, 2005
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with a copy to:

Robert D. Shoecraft, Esq.
Shoecraft · Burton, LLP
550 West "B" Street
San Diego, CA 92101
(t) (619) 794-2280
(f) (619) 794-2278

Since at least January 1, 2000 and continuing to the present, Hussey Copper has caused consumer product and environmental exposures to lead and lead compounds from its lead-coated copper roofing/siding material. Hussey Copper's lead-coated copper material has been installed at residences and businesses across California. The lead-coated copper material is known to leach lead over time. The principal route of exposure is through direct dermal and secondary oral contact with lead and lead compounds on the material itself as well as surfaces contaminated with lead released from the material, including soil, paint and wood. Inhalation of lead dust particles from resuspended contaminated particulate material is also a route of exposure. These exposures occur at residences and workplaces throughout California where lead-coated copper has been installed. The exposures occur beyond the property owned or controlled by Hussey Copper. No clear and reasonable warning is provided with lead-coated copper regarding the carcinogenic or reproductive hazards of lead and lead compounds.

For general information regarding Prop. 65, please see the attached summary, "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary," provided by the California EPA (copies not provided to public enforcement agencies).

By this Notice, Mr. Steinberg notifies Hussey Copper of an intent to sue upon expiration of the sixty (60) day notice period.

Sincerely,

Robert L. Hines

Attachments

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CERTIFICATE OF MERIT

Health & Safety Code § 25249.7(d)

I, Robert Hines, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health & Safety Code § 25249.6 by failing to provide clear and reasonable warnings.

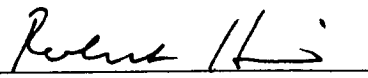
2. I am an attorney with the law firm of Farella, Braun + Martel LLP which represents the noticing party, Joseph Steinberg.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies or other data regarding the exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health & Safety Code § 25249.7(h)(2), including (1) the identity of persons consulted with and relied on by the certifier, (2) the facts, studies or other data reviewed by those persons.

Dated: December 27, 2005


Robert L. Hines
Attorney for Joseph Steinberg

1 **DECLARATION OF SERVICE BY FIRST CLASS MAIL**

2 I, Jeffrey L. Amante, declare:

3 I am employed in the County of San Francisco where this mailing occurs. I am over
4 the age of eighteen years and not a party to this action. My business address is Russ Building,
5 235 Montgomery Street, San Francisco, California. I am readily familiar with the business
6 practices of this office for collection and processing of correspondence and documents for
7 mailing with the U.S. Postal Service. In the ordinary course of business, such correspondence
8 would be collected by this office and deposited with the U.S. Postal Service on that same day.

9 I served the attached:

10 **1. ROBERT L. HINES' DECEMBER 27, 2005 NOTICE OF VIOLATION**
11 **LETTER TO HUSSEY COPPER, LTD.**

12 **2. CERTIFICATE OF MERIT DATED DECEMBER 27, 2005**

13 on the date set forth below, by placing a true copy thereof, addressed as set forth below,
14 enclosed in a sealed envelope with postage thereon fully prepaid, for collection and mailing
15 pursuant to the ordinary business practice of this office:

16 **SEE ATTACHED SERVICE LIST**

17 I declare under penalty of perjury that the foregoing is true and correct. Executed in
18 San Francisco, California on **December 27, 2005**.

19
20 
21 Jeffrey L. Amante

SERVICE LIST

The Honorable Thomas J. Orloff
Alameda County District Attorney
1225 Fallon Street, Room 900
Oakland, CA 94612

The Honorable William A. Richmond
Alpine County District Attorney
270 Laramie Street, Annex Building
P.O. Box 248
Markleeville, CA 96120

The Honorable Todd Riebe
Amador County District Attorney
708 Court Street
Jackson, CA 95642

The Honorable Michael Ramsey
Butte County District Attorney
County Administration Building
25 County Center Drive
Oroville, CA 95965

The Honorable Jeffrey Tuttle
Calaveras County District Attorney
891 Mountain Ranch Road
San Andreas, CA 95249

The Honorable John R. Poyner
Colusa County District Attorney
547 Market Street
Colusa, CA 95932

The Honorable Robert J. Kochly
Contra Costa County District Attorney
725 Court Street, 4th Floor
Martinez, CA 94553

The Honorable Michael Riese
Del Norte County District Attorney
450 H Street, Suite 171
Crescent City, CA 95531

The Honorable Gary Lacy
El Dorado County District Attorney
515 Main Street
Placerville, CA 95667

The Honorable Elizabeth A. Egan
Fresno County District Attorney
2220 Tulare Street, Suite 1000
Fresno, CA 93721

The Honorable Robert Holzapfel
Glenn County District Attorney
P.O. Box 430
Willows, CA 95988

The Honorable Paul Gallegos
Humboldt County District Attorney
825 5th Street
Eureka, CA 95501

The Honorable Gilbert G. Otero
Imperial County District Attorney
939 W. Main Street, 2nd Floor
El Centro, CA 92243

The Honorable Arthur Maillet
Inyo County District Attorney
P.O. Drawer D
Independence, CA 93526

The Honorable Edward R. Jagels
Kern County District Attorney
1215 Truxtun Avenue
Bakersfield, CA 93301

The Honorable Ronald L. Calhoun
Kings County District Attorney
1400 West Lacey Boulevard
Hanford, CA 93230

The Honorable Gary Luck
Lake County District Attorney
255 N. Forbes Street
Lakeport, CA 95453

The Honorable Robert Burns
Lassen County District Attorney
220 South Lassen St., Ste. 8
Susanville, CA 96130

The Honorable Steve Cooley
Los Angeles County District Attorney
210 West Temple Street, Suite 18000
Los Angeles, CA 90012-3210

The Honorable Ernest LiCalsi
Madera County District Attorney
209 W. Yosemite Avenue
Madera, CA 93637

The Honorable Edward S. Berberian, Jr.
Marin County District Attorney
3501 Civic Center Drive, Room 130
San Rafael, CA 94903

The Honorable Robert H. Brown
Mariposa County District Attorney
5101 Jones Street
Post Office Box 730
Mariposa, CA 95338

The Honorable Norman Vroman
Mendocino County District Attorney
P.O. Box 1000
Ukiah, CA 95482

The Honorable Gordon Spencer
Merced County District Attorney
2222 M St.
Merced, CA 95340

The Honorable Jordan Funk
Modoc County District Attorney
P.O. Box 1171
Alturas, CA 96101

The Honorable George Booth
Mono County District Attorney
P.O. Box 617
Bridgeport, CA 93517

The Honorable Dean D. Flipppo
Monterey County District Attorney
240 Church Street
West Wing, Room 101
Salinas, CA 93902

The Honorable Gary Lieberstein
Napa County District Attorney
931 Parkway Mall
Napa, CA 94558

The Honorable Michael W. Ferguson
Nevada County District Attorney
201 Church Street, Suite 8
Nevada City, CA 95959

The Honorable Tony Rackauckas
Orange County District Attorney
401 Civic Center Drive
Santa Ana, CA 92701

The Honorable Bradford R. Fenocchio
Placer County District Attorney
11562 B Avenue
Auburn, CA 95603

The Honorable Jeff Cunan
Plumas County District Attorney
520 Main Street, Room 404
Quincy, CA 95971

The Honorable Grover Trask
Riverside County District Attorney
4075 Main Street
Riverside, CA 92501

The Honorable Jan Scully
Sacramento County District Attorney
901 G Street
Sacramento, CA 95814

The Honorable John Sarsfield
San Benito County District Attorney
419 4th Street, 2nd Floor
Hollister, CA 95023-3801

The Honorable Michael A. Ramos
San Bernardino County District Attorney
316 N. Mountain View Ave
San Bernardino, CA 92415-0004

The Honorable Bonnie M. Dumanis
San Diego County District Attorney
Hall of Justice
330 W. Broadway
San Diego, CA 92101

The Honorable Kamala D. Harris
San Francisco County District Attorney
Hall of Justice
850 Bryant Street, Room 325
San Francisco, CA 94103

The Honorable James P. Willett
San Joaquin County District Attorney
222 E. Weber Ave., Room 202
Stockton, CA 95202

The Honorable Gerald T. Shea
San Luis Obispo County District Attorney
County Government Center, 4th Floor
San Luis Obispo, CA 93408

The Honorable James P. Fox
San Mateo County District Attorney
400 County Center
Redwood City, CA 94063

The Honorable Tom Sneddon
Santa Barbara County District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101

The Honorable George Kennedy
Santa Clara County District Attorney
70 West Hedding Street, West Wing
San Jose, CA 95110

The Honorable Bob Lee
Santa Cruz County District Attorney
701 Ocean Street, Room 200
Santa Cruz, CA 95060

The Honorable Gerald C. Benito
Shasta County District Attorney
1525 Court St. 3rd Floor
Redding, CA 96001

The Honorable Larry Allen
Sierra County District Attorney
100 Courthouse Square, 2nd Floor
Post Office Box 457
Downieville, CA 95936

The Honorable James Andrus
Siskiyou County District Attorney
P.O. Box 986
Yreka, CA 96097

The Honorable David W. Paulson
Solano County District Attorney
675 Texas Street, Suite 4500
Fairfield, CA 94533-6340

The Honorable Stephan R. Passalacqua
Sonoma County District Attorney
Hall of Justice, Second Floor
600 Administration Drive, Room 212-J
Santa Rosa, CA 95403

The Honorable Carol Shipley
Stanislaus County District Attorney
800 11th Street, Room 200
Modesto, CA 95354

The Honorable Carl Adams
Sutter County District Attorney
446 2nd Street
Yuba City, CA 95991

The Honorable Gregg Cohen
Tehama County District Attorney
444 Oak Street, Room L
Red Bluff, CA 96080

The Honorable David Cross
Trinity County District Attorney
PO Box 310
101 Court St.
Weaverville, CA 96093

The Honorable Phil Cline
Tulare County District Attorney
221 S. Mooney Boulevard
Visalia, CA 93291

The Honorable Donald Segerstrom
Tuolumne County District Attorney
2 South Green Street
Sonora, CA 95370

The Honorable Gregory D. Totten
Ventura County District Attorney
800 S. Victoria Ave.
Ventura, CA 93009

The Honorable David C. Henderson
Yolo County District Attorney
301 Second Street
Woodland, CA 95695

The Honorable Patrick McGrath
Yuba County District Attorney
215 5th St.
Marysville, CA 95901

The Honorable Rocky Delgadillo
Office of the City Attorney, Los Angeles
800 City Hall East
200 North Main Street
Los Angeles, CA 90012

The Honorable Michael Aguirre
Office of the City Attorney, San Diego
Civic Center Plaza
1200 Third Avenue, Suite 1620
San Diego, CA 92101

The Honorable Samuel L. Jackson
Office of the City Attorney, Sacramento
New City Hall
915 I Street, 4th Floor
Sacramento, CA 95814

Office of the Attorney General
State of California
Attention: Prop 65 Coordinator
1515 Clay Street, Suite 2000
Post Office Box 70550
Oakland, CA 94612-0550

The Honorable Dennis J. Herrera
Office of the City Attorney, San Francisco
City Hall, Room 234
San Francisco, CA 94102

Roy D. Allen
President and CEO
Hussey Copper, Ltd
100 Washington Street
Leetsdale, PA 15056-1000

The Honorable Richard Doyle
Office of the City Attorney, San Jose
200 East Santa Clara Street
San Jose, CA 95113